

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

SECURITIES AND EXCHANGE  
COMMISSION,

Plaintiff,

v.

LEK SECURITIES CORPORATION,  
SAMUEL LEK, VALI MANAGEMENT  
PARTNERS dba AVALON FA LTD,  
NATHAN FAYYER, and SERGEY  
PUSTELNIK,

Defendants.

:  
:  
:  
:  
:  
: Case No. 17-CV-1789(DLC)  
:  
: **DECLARATION OF**  
: **DAVID J. GOTTESMAN IN**  
: **SUPPORT OF PLAINTIFF’S**  
: **REPLY**  
: **REGARDING MOTION FOR**  
: **JUDGMENT INCLUDING**  
: **REMEDIES AGAINST**  
:  
:

I, David J. Gottesman, declare as follows:

1. I am admitted *pro hac vice* as counsel for plaintiff Securities and Exchange Commission (the “SEC”) in this action.

2. I have personal knowledge of the facts presented in this declaration based upon my review of documents relevant to this litigation. I respectfully submit this declaration in support of the SEC’s Reply to the Avalon Defendants’ Opposition to the SEC’s Motion for Judgment Including Remedies Against Defendants Vali Management Partners dba Avalon FA Ltd, Nathan Fayyer and Serge Pustelnik (“Defendants”).

3. Attached hereto as **Exhibit 1** are genuine and authentic copies of excerpts from the transcript of the trial in this case.

4. Attached hereto as **Exhibit 2** are genuine and authentic copies of excerpts from the transcript of the deposition of Terrence Hendershott, Ph.D., taken May 9, 2017.

5. Attached hereto as **Exhibit 3** is a genuine and authentic copy of Plaintiff's Trial Exhibit 261, which was admitted into evidence.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge, information, and belief.

Executed on: February 7, 2020.

/s/ David J. Gottesman

**CERTIFICATE OF SERVICE**

I hereby certify that on February 7, 2020, a true and correct copy of the above document was served on all counsel of record by filing this document using the CM/ECF system.

/s/ David J. Gottesman